



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-3495  
ATTN: Debbie Knaub, Project Manager

Public Notice Date: April 21, 2006  
Expiration Date: May 20, 2006  
Reference: 200600271  
Name: Foster Creek Conservation District

---

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Foster Creek Conservation District  
Post Office Box 428  
Waterville, Washington 98858-0428  
ATTN: Kathleen Bartu  
Telephone: (509) 745 8362

LOCATION: In Foster Creek, near Bridgeport, Douglas County, Washington.

WORK: Place 500 cubic yards of material waterward of the ordinary high water mark for the construction of an earthen dam reinforced with riprap.

PURPOSE: To improve the water quality of the Foster Creek system downstream of the proposed dam.

ADDITIONAL INFORMATION: The proposed structure will create an impoundment of approximately 2.3 acres (6.9 acre feet). High volume runoff will pool behind the dam and deposit sediment. In addition, the dam will diffuse high volume flows to reduce scouring downstream of the dam.

A temporary stream bypass will be installed around the work site to maintain stream flow and keep the work area isolated.

MITIGATION: The applicant proposes to reslope and plant 1000 linear feet of stream bank.

ENDANGERED SPECIES: A preliminary determination indicates that the activity will not affect endangered or threatened species, or their critical habitat, designated under the Endangered Species Act of 1973. Consultation under Section 7 of the ESA is not required.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). There is not area of EFH in the proposed project area. The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will not adversely affect

designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

**CULTURAL RESOURCES:** The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

**ADDITIONAL EVALUATION:** The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of a Shorelines Substantial Development Permit, being processed by Douglas County.

**COMMENT AND REVIEW PERIOD:** Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's

200600271

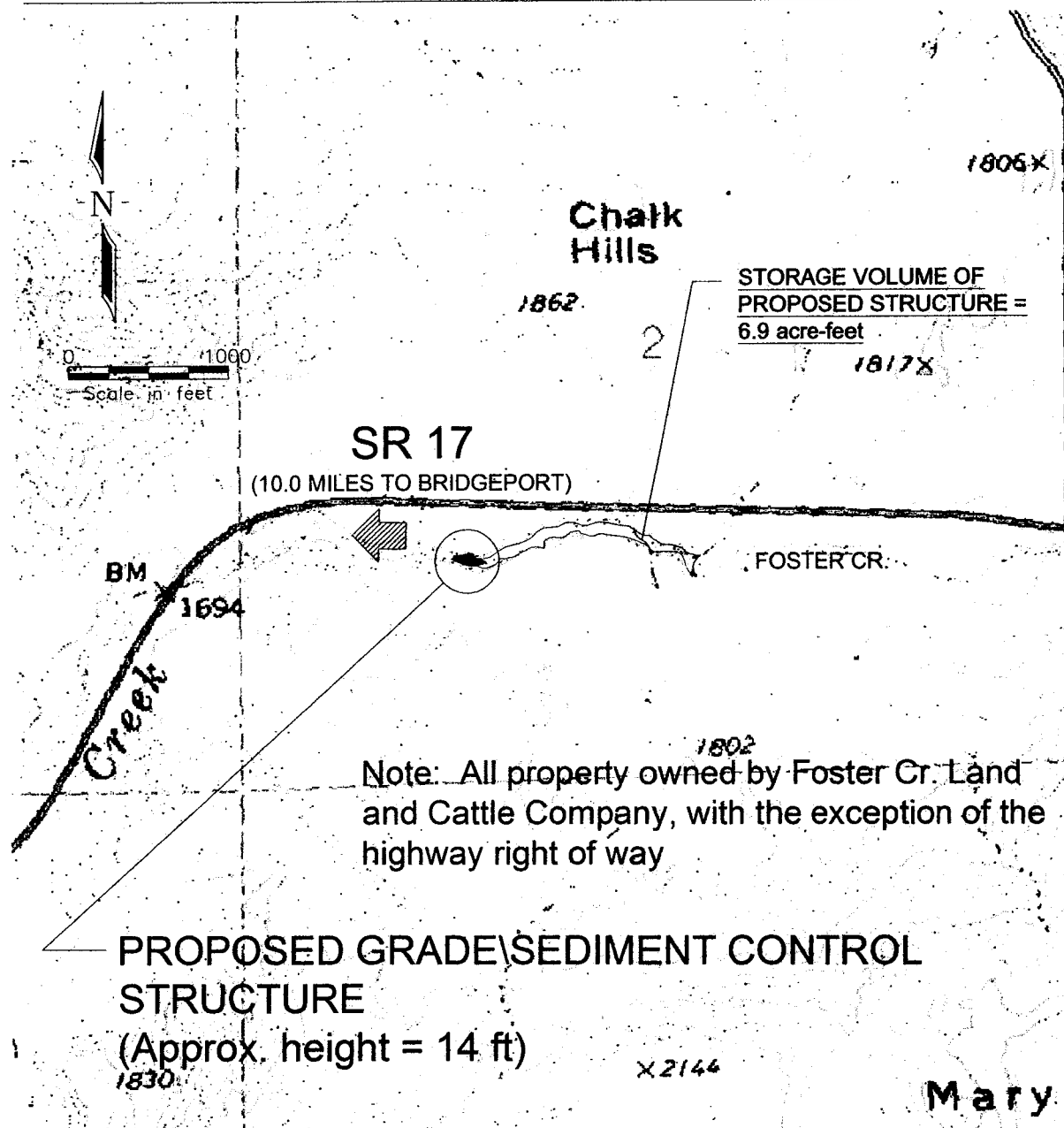
e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Deborah.J.Knaub@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Foster Creek Conservation District 200600271

Encl  
Drawings (3)

SW 1/4, SW 1/4, T. 28 N. R. 26 E. W. M.

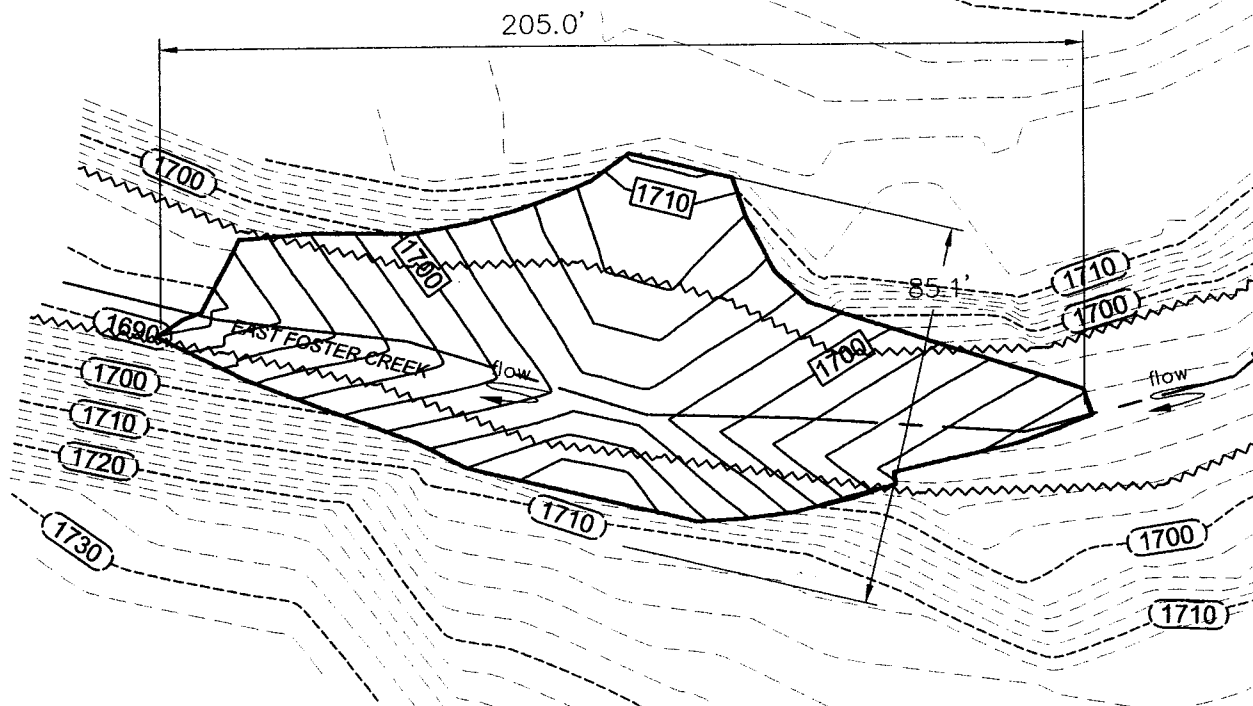
Latitude: 47-57-02 Longitude: -119-31-29



## VICINITY MAP

PURPOSE: HABITAT RESTORATION AND STREAMBANK STABILIZATION DATUM: NAD 27	APPLICANT: <del>2006</del> 200600271	PROPOSED: CONSTRUCT GRADE CONTROL STRUCTURE WITH THE INTENT OF STABILIZING INCISED CHANNEL AND PROVIDING DESILTING IMPONDMENT.
ADJACENT PROPERTY OWNERS: Foster Cr Land and Cattle Company Barry A Watson 911 Hwy 17, Mansfield, WA 98830	LOCATION ADDRESS: South of State Route 17 Approx. MP 127.8 10 miles E. of Bridgeport	IN: FOSTER CREEK NEAR/AT: BRIDGEPORT COUNTY: DOUGLAS STATE: WA SHEET 1 OF 3 DATE: 6-2-2005

LEGEND	
	THALWEG OF EXISTING CREEK
	ORDINARY HIGH WATER MARK
	10 FT CONTOURS - EXISTING
	2 FT CONTOURS - EXISTING
	TOP SURFACE FOOTPRINT - PROPOSED DAM
	10 FT CONTOURS - PROPOSED
	2 FT CONTOURS - PROPOSED



## PLAN VIEW

(EXISTING AND PROPOSED CONTOURS)

### BASIC DESCRIPTION:

EARTH CHECK STRUCTURE, INSTALLED IN DEEPLY INCISED SECTION OF E. FOSTER CR.

### FILL INFORMATION

FOOTPRINT = 0.21 ACRES

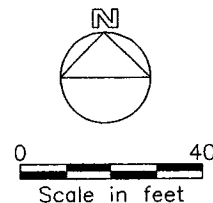
IMPONDED VOLUME = 6.9 ACRE-FT

TOTAL STRUCTURE VOLUME = 2,500 CY

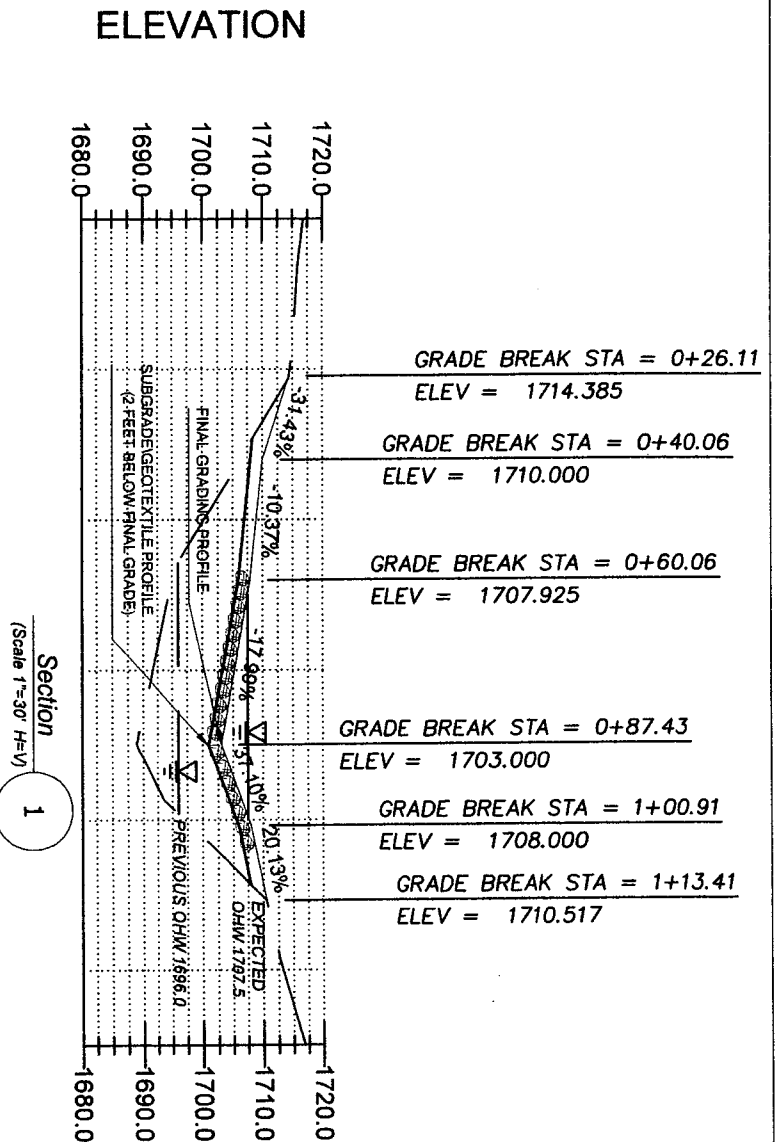
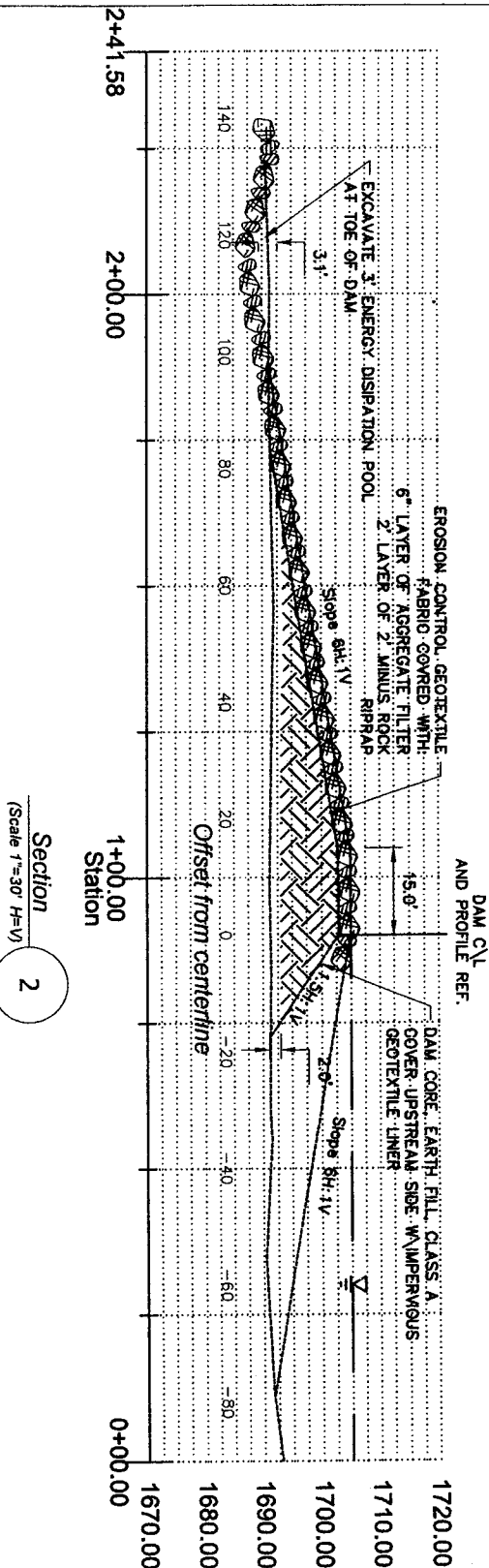
MATERIAL TYPE = FINE SILT LOAM OR SANDY SILT LOAM

RIPRAP LAYER ON DOWNSTREAM SLOPE

SOURCE = ADJACENT STEEP STREAM SIDE SLOPES ABOVE OHW MARKS



PURPOSE: HABITAT RESTORATION AND STREAMBANK STABILIZATION	APPLICANT: <del>2006</del> 200600271	PROPOSED: CONSTRUCT GRADE CONTROL STRUCTURE WITH THE INTENT OF STABILIZING INCISED CHANNEL AND PROVIDING DESILTING IMPONDMENT.
DATUM: NAD 27		
ADJACENT PROPERTY OWNERS: Foster Cr Land and Cattle Company Barry A Watson 911 Hwy 17, Mansfield, WA 98830	LOCATION ADDRESS: South of State Route 17 Approx. MP 127.8 10 miles E. of Bridgeport	IN: FOSTER CREEK NEAR\AT: BRIDGEPORT COUNTY: DOUGLAS SHEET: 2 OF 3 DATE: 6-2-2005 STATE: WA



PURPOSE: HABITAT RESTORATION AND STREAMBANK STABILIZATION  
 DATUM: NAD 27

ADJACENT PROPERTY OWNERS:  
 Foster Cr Land and Cattle Company  
 Barry A Watson  
 911 Hwy 17,  
 Mansfield, WA 98830

APPLICANT: ~~2006~~ 200600271

LOCATION ADDRESS:  
 South of State Route 17  
 Approx. MP 127.8  
 10 miles E. of Bridgeport

PROPOSED: CONSTRUCT GRADE CONTROL STRUCTURE WITH THE INTENT OF STABILIZING INCISED CHANNEL AND PROVIDING DESILTING IMPONDMENT.

IN: FOSTER CREEK  
 NEAR/AT: BRIDGEPORT  
 COUNTY: DOUGLAS STATE: WA  
 SHEET: 3 OF 3  
 DATE: 6-2-2005



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
*P.O. Box 47600 • Olympia, Washington 98504-7600*  
*(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Notice of Application for  
Water Quality Certification

Date: April 21, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200600271 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600